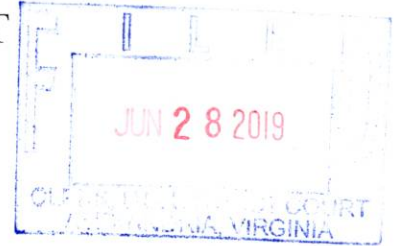


UNITED STATES DISTRICT COURT

for the
Eastern District of Virginia



In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

ONE BLACK 2019 CADILLAC ESCALADE
VIN 1GYS4KKJ4KR213539

Case No. 1:19-SW-928

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment

located in the Eastern District of Virginia, there is now concealed (identify the person or describe the property to be seized):

See Attachment

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. § 1344

Bank Fraud

Offense Description

The application is based on these facts:

See attached Affidavit

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Reviewed by AUSA/SAUSA:

Kimberly Riley Pedersen

Applicant's signature

Steven D. Robinson, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/28/2019

City and state: Alexandria, Virginia

/s/
Michael S. Nachmanoff
United States Magistrate Judge
Judge's signature

Honorable Michael S. Nachmanoff

Printed name and title

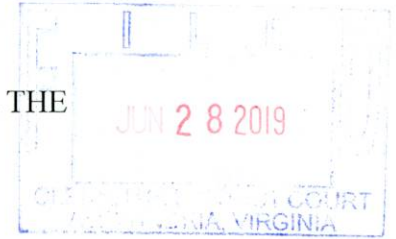
ATTACHMENT

ITEM TO BE SEIZED

Description	Vehicle Identification Number
Black 2019 Cadillac Escalade	1GYS4KKJ4KR213539

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



IN THE MATTER OF THE SEIZURE OF:)

ONE BLACK 2019 CADILLAC ESCALADE)
VIN 1GYS4KKJ4KR213539)

Case No. 1:19-SW-928

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR A
SEARCH WARRANT AND A SEIZURE WARRANT**

I, Steven D. Robinson, being duly sworn, depose and state as follows:

INTRODUCTION

1. I make this affidavit in support of an application for a seizure warrant under Rule 41 of the Federal Rules of Criminal Procedure.
2. According to 18 U.S.C. § 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. 1344 (bank fraud) or a conspiracy to commit such offense is subject to forfeiture to the United States.
3. I am a Special Agent of the Federal Bureau of Investigation (FBI), duly appointed and acting in that capacity since December 2002. I am currently assigned to a financial crimes squad at the Washington Field Office of the FBI, where I have been the affiant on multiple affidavits and have participated in investigations of bank fraud and other criminal activities, which involve violations of Title 18, United States Code, Sections 1341 (Mail Fraud), 1343 (Wire Fraud), 1344 (Bank Fraud) and 1359 (Conspiracy to Commit Mail, Wire, and Bank Fraud).
4. I have knowledge of the matters described in this affidavit through my personal participation in the investigation, as well as from information provided to me by other law

enforcement officers and lay witnesses. I have interviewed witnesses with knowledge of the events described herein and reviewed documents including bank records and records from automobile dealerships. In this affidavit, I sometimes use the term "bank" as a general term for a financial institution, including credit unions. Where the statements of others are related herein, those statements are related in substance and not verbatim. This affidavit is submitted only for the purpose of establishing probable cause for a seizure warrant, it does not include all the facts known to me as a result of the investigation, and may not include all information known or available to me.

5. I am submitting this affidavit in support of a seizure warrant for ONE BLACK 2019 CADILLAC ESCALADE (VIN 1GYS4KKJ4KR213539) (the "ESCALADE"), currently located in the Eastern District of Virginia, which is evidence of a crime, contraband, fruits of crime and other items illegally possessed because it was purchased with funds fraudulently obtained by MUATH DARRAJ ("MUATH") and AHMAD DARRAJ ("AHMAD") through a scheme to defraud a financial institution by means of materially false or fraudulent pretenses, representations, or promises, in violation of Title 18, United States Code, Section 1344 (Bank Fraud), that is by engaging in "check kiting."

6. As set forth below, there is probable cause to believe that MUATH used the proceeds from a "check kiting" scheme to pay off loans he and other family members had taken out previously for the purchase of multiple luxury vehicles that they otherwise could not afford, including the ESCALADE.

7. "Check kiting" as used in this affidavit, is a term commonly used in the banking industry to describe a scheme to defraud in which someone knowingly deposits checks written from an account at an issuing bank ("bank of issue") into an account at a second bank ("bank of

deposit”), and the subsequent attempt to rapidly withdraw any funds that the bank of deposit makes available. Based on my training and experience, I know that banks typically have a timeframe known as “the float.” The float is the time period between a check being deposited at the bank of deposit and the same check being presented for payment at the bank of issue. During “the float,” the bank of deposit will sometimes make a portion of the deposit available to the customer prior to the payment of the funds by the bank of issue. In a check kiting scheme, withdrawals of funds are attempted during “the float,” but before the bank of deposit becomes aware that the bank of issue will not honor the check because of insufficient funds.

BACKGROUND

8. In February 2019, an employee of Koon’s of Tyson, an auto dealership located at 2000 Chain Bridge Road in Vienna, Virginia, within the Eastern District of Virginia, reported to the Fairfax County Police that on or about February 3, 2019, and February 4, 2019, MUATH DARRAJ (“MUATH”) and his brother AHMAD DARRAJ (“AHMAD”) purchased a total of four (4) Jeep Wranglers from this location for a purchase price of approximately \$257,949.85. The employee reported that the four vehicles were financed with no down payment, and that during the transactions, the salesman had noted that neither MUATH nor AHMAD attempted to seek a lower price. A review of financial records reveal that AHMAD and MUATH financed the purchase of the four (4) Jeep Wranglers through Ally Bank. Additionally, during the finance process, the Koons employee noted that MUATH’s credit history had been run earlier that same day by several other local car dealerships, including Ted Britt Chevrolet in McLean, Virginia, Joyce Koon’s Honda in Manassas, Virginia, and Koon’s Ford in Sterling, Virginia.

9. On or about February 4, 2019, and prior to purchasing the four (4) Jeeps Wranglers, MUATH and AHMAD had purchased three (3) Ford F-150 Raptor trucks for

approximately \$239,896.26 from Koon's Sterling Ford in Sterling, Virginia. MUATH and AHMAD financed the purchase of these trucks through Ford Motor Credit.

10. In reviewing the credit applications filed by MUATH, I noted that he claimed to live at 6811 Ben Franklin Road in Springfield, Virginia, and that he owned his home outright. MUATH also claimed he was the General Manager of JMD earning \$24,750 per month. AHMAD claimed to live at 42672 Orefield Terrace in Ashburn, Virginia, and that he owned his home outright. AHMAD also claimed he was the General Manager of GTR LLC, earning \$21,000 per month. Neither MUATH nor AHMAD provided additional information regarding their businesses, such as address or type of business.

11. In response to the complaint from Koons Ford, I conducted voluntary, non-custodial interviews of MUATH, AHMAD and another brother, YOUNES DARRAJ, on February 15, 2019, at MUATH'S residence on Orefield Terrace in Ashburn, Virginia. During these interviews, MUATH confirmed that he lived at Orefield Terrace and AHMAD stated that he lived full-time in the basement at Orefield Terrace.

12. During my interview of MUATH, he stated he was the owner of a business known as NRA Auto Sales, contradicting the information he provided in his credit application. According to my review of records from the Virginia State Corporation Commission, MUATH did register a Limited Liability Company known as NRA Auto Sales and listed the Ben Franklin Road as the company's initial registered office. I also know from an interview of the property owner that MUATH rented a warehouse in Winchester, Virginia, in the name of that business¹.

¹ During an interview with the property owner on April 11, 2019, he said that one of MUATH's monthly lease checks was returned by the bank of issue because the account was closed. The owner has been unable to contact MUATH via cellphone since his check was return unpaid. When the owner went to reclaim his space in March or April, it appeared as if someone had

MUATH did not mention working for a business known as JMD during my interview. MUATH admitting to purchasing the Jeep Wranglers and Ford F-150 Raptors and said they were for the personal use of himself and other members of his family and were not purchased for export or resale.

13. MUATH's spouse confirmed during a voluntary, non-custodial interview that she, MUATH and their children had lived at Orefield Terrace for the last seven years – and not Ben Franklin Road - and that AHMAD lived in their basement. MUATH's spouse also confirmed that she and MUATH had previously declared bankruptcy.

14. During my February 15, 2019 interview of AHMAD, he stated that he drives a car hauler truck and drops off and picks up vehicles from automobile auctions. AHMAD also stated that he lived full-time in the basement of his brother MUATH's residence on Orefield Terrace. During my interview of MUATH, AHMAD was located in the basement at Orefield Terrace.

15. In addition, based on my interview of DARRAJ family members and surveillance, I do not believe that either MUATH or AHMAD reside at the Ben Franklin address in Springfield, Virginia. On March 8, 2019, I obtained a criminal complaint and arrest warrant for their brother, YOUNES, for bank fraud, in violation of 18 U.S.C. § 1344, based on a similar check kiting scheme he perpetrated in July and August 2017² to pay off pre-existing luxury car

cleared out everything in the space, which previously held motorcycles, off-road vehicles, antique automobiles, newer vehicles and large machinery.

² Surveillance images of certain financial transactions reveal that MUATH deposited a number of checks into YOUNES' accounts that the banks returned for insufficient funds. On May 17, 2019, YOUNES pleaded guilty in the United States District Court for the Eastern District of Virginia to one count of bank fraud, in violation of 18 U.S.C. § 1344.

loans. During my attempts to locate YOUNES, I went to the Ben Franklin address but did not find any evidence that YOUNES, MUATH or AHMAD lived there.

16. Based on the foregoing, I believe that MUATH and AHMAD knowingly and intentionally made false statements about the amount and source of their income and the fact that they owned a home in order to make it appear as if they had sufficient finances to qualify for the multiple car loans to purchase the four (4) Jeep Wranglers and the three (3) Ford F-150 Raptors. I further believe that they knowingly and intentionally made these false statements because, at the time, they knew they would not have otherwise been qualified for the loans.

17. On April 25, 2019, in Ashburn, Virginia, the FBI located three (3) or four (4) Jeep Wranglers and two (2) or three (3) Ford F-150 Raptors in the area of the DARRAJ residences of Orefield Terrace and Cambridgeport Square. Pursuant to a warrant issued by the Honorable Theresa C. Buchanan filed under seal, the FBI seized these cars as being subject to forfeiture.

18. On February 7, 2019, and about three days after AHMAD and MUATH purchased the Jeep Wranglers and Ford F-150 Raptors, AHMAD purchased the ESCALADE for \$104,730.44, plus fees, at Jim Coleman Cadillac in Bethesda, Maryland. According to the purchase records, AHMAD made a \$20,000 down payment and financed approximately \$89,179.94 through Ally Bank.

19. On his credit application with Ally Bank, AHMAD stated that he was the General Manager of "GTR LLC," and earned \$20,080 per month. AHMAD also stated his residence was "Orefield Ter" and that he owned his home outright. This information about his employment was in contradiction of the information AHMAD previously provided on the credit application for the Jeep Wranglers/Ford F-150 Raptors stating he earned \$21,000 per month from "GTR LLC." AHMAD also stated that he was employed full-time as "general manager" at GTR LLC

and had been so employed for the past 7 years and “owns home outright.” For the reasons set forth below, I believe that ADHMAD knowingly and intentionally made false statements about his employment, income and ownership of a residence in order to make it appear as if he had sufficient income and assets to qualify for the ESCALADE loan. AHMAD did not fill out any additional information regarding his purported businesses, such as address or type of business. However, AHMAD did list a business telephone number of 202-480-6973, which I know to be the cellular telephone number used by MUATH based on information he provided to me during our consensual interview and from a review of text messages he sent to Koons Ford when purchasing the vehicles.

CHECK KITING SCHEME – CHECK DEPOSITS

20. Through this investigation, I learned that MUATH used numerous checks written on bank accounts that he controlled (the banks of issue) to make large deposits into his accounts maintained at SunTrust Bank (the bank of deposit).

21. Back on October 26, 2016, MUATH opened a business bank account at SunTrust Bank in the name of JMD Auto Sales, LLC (“SunTrust JMD Account”), for which MUATH was the sole signatory. Based on my review of the limited records provided by SunTrust Bank, starting in January 2019, the SunTrust JMD Account had an opening monthly balance of \$2,692, and an ending balance of \$1,438. During that month, there were three deposits to the account totaling \$7,938 and multiple withdrawals and debits totaling \$9,191. The majority of withdrawals from this account were ACH³ withdrawals that appeared to be payments to automobile financing companies.

³ACH is a U.S. financial network used for electronic payments and money transfers. Also known as “direct payments,” ACH payments are a way to transfer money from one bank account to another without using paper checks, credit card networks, wire transfers or cash. <https://squareup.com/guides/ach-payments>.

22. In February 2019, there was significantly more activity on the Suntrust JMD Account, primarily consisting of the deposit of large denomination checks and the subsequent rapid withdrawal of available funds. Specifically, the following large checks were deposited into the SunTrust JMD Account towards the end of February 2019:

Date of Check	Amount	Bank of Issue	Issuing Account Name
02/24/2019	\$692,000	United Bank	Muath Darraj/NRA Auto Sales and Services LLC
02/24/2019	\$600,000	United Bank	A&M Automotive Service
02/25/2019	\$773,000	Eagle Bank	NRA Auto Sales and Services LLC
02/25/2019	\$541,000	Middleburg Bank	DMV Auto Transportation LLC
02/26/2019	\$802,000	Bank of Clarke County	NRA Auto Sales and Services LLC
02/26/2019	\$430,000	Bank of Clarke County	DMV Auto Transportation LLC
02/27/2019	\$490,000	Capital One	DMV Auto Transportation LLC
02/27/2019	\$870,000	Capital One	NRA Auto Sales and Services LLC

23. All of the accounts from which these checks were written are held in the name of various businesses registered to MUATH. However, within days of the deposits, and beginning around February 28, 2019, all of the checks listed in the chart above were returned for insufficient funds, causing a loss to SunTrust Bank of over \$930,000.00

CHECK KITING SCHEME – RAPID WITHDRAWAL OF FUNDS

24. On February 26, 2019, and February 27, 2019, and after these large checks were deposited, a large number of electronic ACH payments were made from the Suntrust JMD Account during “the float” to a variety of finance companies, including Ally Bank, Ford Motor Credit, Capital One Auto Carpay, Toyota Financial, GM Financial, Honda Payment, and JP Morgan Chase.

25. As the payments relate to the ESCALADE, which AHMAD financed through Ally Bank, a review of the financial records show that on February 25, 2019, MUATH's SunTrust JMD Account made an ACH payment in the amount of \$89,535.20 to Ally Bank. I have also reviewed records that showed this payment was received by Ally Bank on the same date and credited to the car loan for the ESCALADE, paying off the loan in full.

26. Based on a review of available records, and my discussions with representatives for United Bank, Middleburg Bank, Bank of Clarke County and Eagle Bank (the banks of issue), MUATH's accounts at these banks, against which these large checks were written, typically only had available funds of approximately \$1,000 to \$2,000 and did not have anywhere near the amount of funds on deposit to cover the amounts on the checks written by MUATH. I have not been able to speak directly with representatives of Capital One. However, I know from the bank records that all of the checks deposited into MUATH's SunTrust JMD Account, including those from Capital One, were returned to the banks of issue for non-sufficient funds.

27. I have reviewed at least two other bank accounts at SunTrust Bank held in the names of other businesses registered to MUATH, and for which MUATH is the sole signatory. These accounts also exhibit a similar pattern of large deposits and the subsequent rapid withdrawal of funds during "the float." SunTrust suffered an additional loss of over \$600,000 from the illegal activities of MUATH on these accounts. Therefore, I believe that the actions of MUATH and AHMAD in connection to the purchase of the ESCALADE, the deposit of insufficient funds checks and the rapid withdrawal of funds from the SunTrust JMD Account by ACH withdrawal were knowing and intentional and not by accident, mistake or other innocent reason.

28. To date, neither MUATH nor AHMAD have made any attempt to reimburse SunTrust Bank for any of its losses related to this scheme. In fact, according to MUATH's spouse, and my review of international travel records from U.S. Customs and Border Protection, I know that MUATH left the United States in February of 2019, and has not returned. Therefore, I believe that MUATH and AHMAD knowingly and intentionally devised, executed and attempted to execute a scheme and artifice to defraud SunTrust Bank by artificially inflating the balances in MUATH's SunTrust JMD Account by depositing insufficient funds checks into it and then rapidly withdrew funds during the float to pay off the loan for the ESCALADE.

LOCATION OF VEHICLE

29. Based on database checks with the Virginia Department of Motor Vehicles (DMV) in May 2019, the ESCALADE is registered to AHMAD at Orefield Terrace in Ashburn, Virginia. I also know from personal observations of the ESCALADE that it currently bears a Virginia 'For Hire' style license plate "USA AAA." I further know from personal observation and DMV records that this license plate was previously issued to DIAALDIN DARRAJ ("DIAALDIN"), the brother of AHMAD and MUATH, and that DIAALDIN used it on a different vehicle in his for-hire business.

30. Based on database checks, physical surveillance and my personal interaction with the DARRAJ family, I know that DIAALDIN currently lives at a home located at 12022 Trossack Road in Herndon, Virginia, within the Eastern District of Virginia, with at least one school-age child. Other DARRAJ family members, including AHMAD and YOUNES, have also stayed at the Trossack Road residence for short periods of time. I have personally seen the ESCALADE parked at or near the Trossack Road residence, including the driveway of the home, and I have also seen DIAALDIN driving the ESCALADE in that neighborhood.

31. For those reasons, I believe the ESCALADE is currently located at or near 12022 Trossack Road and is used by DIAALDIN as a 'For Hire' vehicle.

CONCLUSION

32. Based on my training and experience, and the information provided in this affidavit, I respectfully submit there is probable cause to believe that from at least on or about February 3, 2019, and continuing through at least February 28, 2019, in the Eastern District of Virginia and elsewhere, AHMAD DARRAJ and MUATH DARRAJ devised, executed and attempted to execute a scheme and artifice to defraud SunTrust Bank and other financial institutions, within the meaning of 18 U.S.C. § 20, by conducting a scheme to artificially inflate bank balances through the deposit of insufficient funds checks drawn on multiple bank accounts and then the quick extraction of funds through a series of financial transactions in and affecting interstate commerce, in violation of 18 U.S.C. § 1344 (Bank Fraud).

33. Based on the foregoing, there is probable cause to believe the BLACK 2019 CADILLAC ESCALADE is subject to civil forfeiture, pursuant to 18 U.S.C. § 981(a)(1)(C) as proceeds of bank fraud, and is subject to criminal forfeiture, pursuant to 18 U.S.C. § 982(a)(2)(A), as proceeds of bank fraud.



Steven D. Robinson
Special Agent
Federal Bureau of Investigation

Sworn and subscribed to before me this 28th day of June, 2019



Michael S. Nachmanoff
United States Magistrate Judge
Honorable Michael S. Nachmanoff
United States Magistrate Judge

ATTACHMENT

ITEM TO BE SEIZED

Description	Vehicle Identification Number
Black 2019 Cadillac Escalade	1GYS4KKJ4KR213539